

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANTONIO EL, et al.,
Plaintiffs,

v.

U.S. DEPARTMENT OF STATE, et al.,
Defendants.

Case No. [19-cv-06654-JCS](#)

**ORDER TO SHOW CAUSE WHY
APPLICATION TO PROCEED IN
FORMA PAUPERIS SHOULD NOT BE
DENIED**

Re: Dkt. No. 2

Plaintiffs¹ Antonio El (self-styled as a “Consulate General), Marie Mairiam Bijou Bayo El (self-styled as an “Ambassador”), Ali Bey, and Amirah White El filed this action against dozens of defendants, including the U.S. Department of State, the State of California, the Los Angeles County Superior Court, the Los Angeles County Sheriff’s Department, the Los Angeles County Probation Department, and several individuals, some of whom are public officials.

Plaintiffs filed a single “short form” application to proceed in forma pauperis signed by Antonio El. *See* dkt. 2. The application indicates that Antonio El is employed “Federal Employer - 06143” but receives “\$0.00” in both gross and take-home pay based on a pay period of “N/A,” that he has not received income from any other sources over the past twelve months, and that he has zero dollars in cash or in a bank account. Antonio El’s response to all other questions on the form is “N/A.” This form is somewhat self-contradictory in that it indicates Antonio El is employed but receives no pay, and also appears to be inconsistent with even the minimal costs for printing and postage that Plaintiffs presumably spent to file this action. The form is not sufficient

¹ A document captioned “Emergency Diplomatic Relations” states that Antonio El is “expressly not a ‘Plaintiff.’” Antonio El filed this action seeking relief from the Court. He is therefore a plaintiff, whether he wishes to be called one or not. The Court also notes that Antonio El lists himself as one of the “Plaintiff(s)” on the cover page (captioned “General Document”) of Plaintiffs’ filing.

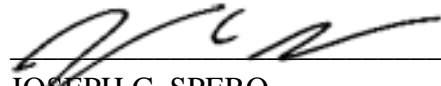
1 on its own to show that Antonio El is entitled to proceed in forma pauperis, much less that the
2 other Plaintiffs are. As far as this Court is aware, every district court in the Ninth Circuit to
3 consider the issue has held that *all* plaintiffs in a case must show that they are indigent before the
4 filing fee will be waived. *E.g.*, *Martinez v. Lutz*, No. 1:18-cv-00999-DAD-SKO, 2018 WL
5 3924266, at *1 (E.D. Cal. Aug. 14, 2018); *Goode v. California*, No. 17cv736-WQH-KSC, 2017
6 WL 11421540, at *1 (S.D. Cal. July 31, 2017); *Wolde-Giorgis v. Dillard*, No. CV 06-0289-PHX-
7 MHM, 2006 WL 8440400, at *6 (D. Ariz. Sept. 29, 2006).

8 Plaintiffs are therefore ORDERED TO SHOW CAUSE why their application to proceed in
9 forma pauperis should not be denied, by filing a response no later than November 12, 2019.
10 Plaintiffs should file one copy of the attached form for each plaintiff, for a total of four forms.
11 Plaintiffs must answer each question on the form as instructed. If Plaintiffs in fact have no assets
12 or income whatsoever, they should also file a brief statement explaining how they meet basic
13 needs.

14 If Plaintiffs do not file a response by November 12, 2019, the Court will deny their
15 application. If the application is denied, the Court will provide Plaintiffs an opportunity to pay the
16 filing fee, and if they fail to do so, the undersigned magistrate judge will recommend that the case
17 be dismissed.

18 **IT IS SO ORDERED.**

19 Dated: October 21, 2019

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21 JOSEPH C. SPERO
22 Chief Magistrate Judge
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